

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS

No. 6:20-cv-00265

Laquaylan Patterson,
Petitioner,

v.

United States of America,
Respondent.

ORDER

Petitioner Laquaylan Patterson, proceeding pro se, filed this motion to vacate or correct sentence under 28 U.S.C. § 2255 challenging the legality of his conviction for robbery of Cornerstone Credit Union in Lancaster, Texas. After review of the pleadings, including the answer from the respondent and the petitioner's reply, the magistrate judge issued a report recommending that the motion to vacate or correct sentence be denied. The magistrate judge determined that the petitioner's plea of guilty was knowing and voluntary, the petitioner did not receive ineffective assistance of counsel at trial or on appeal, and the petitioner consented to the taking of a second DNA sample.

Petitioner did not file objections to the magistrate judge's report in the present case, although he did file objections to a report in another motion to vacate sentence he filed, cause no. 6:20-cv-00264, concerning a separate conviction but raising similar issues. Those objections clearly indicate that they pertain to that other case and make no mention of the present one. Even if those objections were considered as part of the present case, however, the court has reviewed them and determined that they are without merit.

Having reviewed the magistrate judge's report and the objections de novo, to the extent that the objections from cause no. 6:20-cv-00264 may be considered as part of this case, the court overrules the plaintiff's objections and accepts the report's

findings and recommendations. The court orders that the motion to vacate or correct sentence is dismissed with prejudice. A certificate of appealability is denied.

So ordered by the court on April 25, 2022.

A handwritten signature in black ink, appearing to read "J. Campbell Barker", is written over a horizontal line.

J. CAMPBELL BARKER
United States District Judge